



COCHISE COUNTY

COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

MEMORANDUM

Date: October 16, 2013

To: Flood Control District Board

From: Karen C. Riggs, County Engineer

Subject: Toczko Floodplain Variance Request, Parcel 401-21-007

Recommendation: Floodplain Staff recommends that the Flood Control District Board deny the requested variance that would allow the elevation of existing structure to be lower than required by the Floodplain Regulations.

Background (Brief): The subject parcel is within a current Zone A floodplain of Turkey Creek in the Sunizona area. The applicant has built without a building permit or a floodplain use permit.

The existing single family residence is located along the banks of Turkey creek, whose upper watershed was severely burned in the Horseshoe II fire in 2011, therefore increasing the risk of flooding.

The floodplain permit requires that the top of bottom floor be elevated one foot above the 100-year floodplain, which would be a minimum of two feet above highest adjacent grade. The house is site-built with a concrete pad elevated approximately three (3) inches above natural grade. This elevation would also not meet building code requirements. The house is located about 100 feet from the banks of Turkey Creek. There is no engineering justification for granting the variance.

Since the Toczko's have already build the structure, they do not feel that they are able to comply with the Floodplain requirement to elevate the proposed single family residence. However, this is not sufficient justification for a variance.

Suggested Motion: Madam Chair, I move to deny the variance requested from elevation requirements for the existing structure on parcel 401-21-007.

Fiscal Impact & Funding Sources: No fiscal impact

Next Steps/Action Items/Follow-up: If approved, the variance will be recorded

Impact of Not Approving: The Toczko's will be in violation of the Floodplain Regulations. The Flood Control District could submit them for denial of flood insurance. In order to cure the violation, they would need to either rebuild the structure or could submit an engineering study (at their expense) to attempt to prove that elevation is not needed.